

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 11. Employee or employees to sign approval of tribal deeds**

The Secretary of the Interior is authorized to designate an employee or employees of the Department of the Interior to sign, under the direction of the Secretary, in his name and for him, his approval of tribal deeds to allottees, to purchasers of town lots, to purchasers of unallotted lands, to persons, corporations, or organizations for lands reserved to them under the law for their use and benefit, and to any tribal deeds made and executed according to law for any of the Five Civilized Tribes of Indians in Oklahoma.

(Mar. 3, 1911, ch. 210, § 17, 36 Stat. 1069.)

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**§ 12. Agent to negotiate commutation of annuities**

The Commissioner of Indian Affairs is authorized to send a special Indian Agent, or other representative of his office, to visit any Indian tribe for the purpose of negotiating and entering into a written agreement with such tribe for the commutation of the perpetual annuities due under treaty stipulations, to be subject to the approval of Congress; and the Commissioner of Indian Affairs shall transmit to Congress said agreements with such recommendations as he may deem proper.

(Apr. 30, 1908, ch. 153, 35 Stat. 73.)

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## INDIAN AGENTS

The services of Indian agents have been dispensed with. See note set out under section 64 of this title.

**§ 13. Expenditure of appropriations by Bureau**

The Bureau of Indian Affairs, under the supervision of the Secretary of the Interior, shall direct, supervise, and expend such moneys as Congress may from time to time appropriate, for the benefit, care, and assistance of the Indians throughout the United States for the following purposes:

General support and civilization, including education.

For relief of distress and conservation of health.

For industrial assistance and advancement and general administration of Indian property.

For extension, improvement, operation, and maintenance of existing Indian irrigation systems and for development of water supplies.

For the enlargement, extension, improvement, and repair of the buildings and grounds of existing plants and projects.

For the employment of inspectors, supervisors, superintendents, clerks, field matrons, farmers, physicians, Indian police, Indian judges, and other employees.

For the suppression of traffic in intoxicating liquor and deleterious drugs.

For the purchase of horse-drawn and motor-propelled passenger-carrying vehicles for official use.

And for general and incidental expenses in connection with the administration of Indian affairs.

Notwithstanding any other provision of this section or any other law, postsecondary schools administered by the Secretary of the Interior for Indians, and which meet the definition of an "institution of higher education" under section 101 of the Higher Education Act of 1965 [20 U.S.C. 1001], shall be eligible to participate in and receive appropriated funds under any program authorized by the Higher Education Act of 1965 [20 U.S.C. 1001 et seq.] or any other applicable program for the benefit of institutions of higher education, community colleges, or postsecondary educational institutions.

(Nov. 2, 1921, ch. 115, 42 Stat. 208; Pub. L. 94-482, title IV, § 410, Oct. 12, 1976, 90 Stat. 2233; Pub. L. 105-244, title I, § 102(a)(8)(A), Oct. 7, 1998, 112 Stat. 1619.)

## REFERENCES IN TEXT

The Higher Education Act of 1965, referred to in text, is Pub. L. 89-329, Nov. 8, 1965, 79 Stat. 1219, as amended, which is classified principally to chapter 28 (§1001 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 20 and Tables.

## AMENDMENTS

1998—Pub. L. 105-244, which directed substitution of "101" for "1201" in the last paragraph of "section 410 of the Act entitled 'An Act authorizing appropriations and expenditures for the administration of Indian Affairs, and for other purposes', approved November 2, 1921 (25 U.S.C. 13) (commonly known as the Snyder Act)", was executed to last paragraph of this section, which is the act of Nov. 2, 1921, ch. 115, commonly known as the Snyder Act, to reflect the probable intent of Congress. This section was amended by section 410 of Pub. L. 94-482 to add the last paragraph.

1976—Pub. L. 94-482 inserted provisions relating to postsecondary schools administered by the Secretary of the Interior for Indians.

## EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of Title 20, Education.

## EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-482 effective 30 days after Oct. 12, 1976, except either as specifically otherwise pro-

vided or, if not so specifically otherwise provided, effective July 1, 1976, for those amendments providing for authorization of appropriations, see section 532 of Pub. L. 94-482, set out as a note under section 1001 of Title 20, Education.

#### SHORT TITLE

Act Nov. 2, 1921, which enacted this section, is popularly known as the "Snyder Act".

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#### AVAILABILITY OF HOUSING IMPROVEMENT PROGRAM GRANT REPAYMENTS FOR PROGRAM OBLIGATIONS

Pub. L. 101-121, title I, Oct. 23, 1989, 103 Stat. 714, provided: "That hereafter, notwithstanding any other provision of law, amounts collected from grantees by the Secretary as grant repayments required under the Secretary's regulations for the Housing Improvement Program shall be credited in the year collected and shall be available for obligation under the terms and conditions applicable to the Program under that year's appropriation".

#### ALTERNATIVE METHODS FOR EQUITABLE DISTRIBUTION OF SUPPLEMENTAL PROGRAM FUNDS; DEVELOPMENT, PUBLICATION, ETC., OF FORMULA

Pub. L. 95-561, title XI, § 1102, Nov. 1, 1978, 92 Stat. 2316, provided that:

"(a) The Secretary of the Interior shall develop alternative methods for the equitable distribution of any supplement program funds provided, pursuant to an appropriation under the Act of November 2, 1921, commonly referred to as the Snyder Act [this section], for contracting under the Act of April 16, 1934, commonly referred to as the Johnson-O'Malley Act [sections 452 to 457 of this title], and shall publish in the Federal Register by March 1, 1979, such alternatives for the purpose of allowing eligible tribes to comment by May 1, 1979. At that time, the Secretary shall conduct a field survey listing all alternative formula.

"(b) By July 1, 1979, the Secretary shall establish and publish the formula in the Federal Register which the majority of such tribes determine, but vote certified to the Secretary, to be most equitable and shall use such formula for purposes of distribution of the funds appropriated pursuant to such Act beginning on or after October 1, 1979. The Secretary shall, in accordance with procedures consistent with that prescribed herein, revise such formula periodically as necessary".

#### PAYMENTS FOR BASIC EDUCATIONAL SUPPORT GRANTS OR CONTRACTS; AUTHORIZATION; TIME

Pub. L. 95-561, title XI, § 1103(a), Nov. 1, 1978, 92 Stat. 2316, as amended by Pub. L. 96-46, § 2(b)(1), Aug. 6, 1979, 93 Stat. 341, provided that payments for basic educational support grants or contracts for fiscal year 1978, including any fiscal year 1978 funds subsequently obligated in fiscal year 1979, were to be made under the authority of act Apr. 16, 1934, and set forth conditions, time, etc., for payments.

#### § 13-1. Authorization of appropriations for funds for basic educational support through parent committees

Such sums as are needed under section 13 of this title are authorized to be appropriated to provide funds for basic educational support through parent committees under the Act of April 16, 1934 [25 U.S.C. 452 et seq.], to those pub-

lic schools educating Indian students and whose total sum of Federal, State, and local funds is insufficient to bring the education of the enrolled Indian students to a level equal to the level of education provided non-Indian students in the public schools in which they are enrolled where the absence of such support would result in the closing of schools or the reduction in quality of the education program afforded Indian students attending public schools.

(Pub. L. 95-561, title XI, § 1103(b), Nov. 1, 1978, 92 Stat. 2316.)

#### REFERENCES IN TEXT

Act of April 16, 1934, referred to in text, is act Apr. 16, 1934, ch. 147, 48 Stat. 596, as amended, popularly known as the Johnson-O'Malley Act, which is classified generally to section 452 et seq. of this title. For complete classification of this Act to the Code, see Short Title note set out under section 452 of this title and Tables.

#### EFFECTIVE DATE

Section effective Oct. 1, 1978, see section 1530(a) of Pub. L. 95-561, set out as an Effective Date of 1978 Amendment note under section 1221e-3 of Title 20, Education.

#### § 13a. Carryover funding

Notwithstanding any other provision of law, any funds appropriated pursuant to section 13 of this title, for any fiscal year which are not obligated or expended prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated shall remain available for obligation or expenditures during such succeeding fiscal year. In the case of amounts made available to a tribal organization under a self-determination contract, if the funds are to be expended in the succeeding fiscal year for the purpose for which they were originally appropriated, contracted or granted, or for which they are authorized to be used pursuant to the provisions of section 450j-1(a)(3)<sup>1</sup> of this title, no additional justification or documentation of such purposes need be provided by the tribal organization to the Secretary as a condition of receiving or expending such funds.

(Pub. L. 93-638, § 8, Jan. 4, 1975, 88 Stat. 2206; Pub. L. 100-472, title I, § 105, Oct. 5, 1988, 102 Stat. 2287.)

#### REFERENCES IN TEXT

Section 450j-1(a)(3) of this title, referred to in text, was repealed and a new subsec. (a)(3) of section 450j-1 was added by Pub. L. 103-413, title I, § 102(14)(C), Oct. 25, 1994, 108 Stat. 4257. See section 450j-1(a)(4) of this title.

#### AMENDMENTS

1988—Pub. L. 100-472 amended section generally. Prior to amendment, section read as follows: "The provisions of any other laws to the contrary notwithstanding, any funds appropriated pursuant to section 13 of this title, for any fiscal year which are not obligated and expended prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were appropriated shall remain available for obligation and expenditure during such succeeding fiscal year."

<sup>1</sup> See References in Text note below.